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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/589,827

07/21/2008

Klaus Ginsberg

207,458

9660

38137 7590 08/25/2011
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EXAMINER

TOLAN, EDWARD THOMAS

ART UNIT

PAPER NUMBER

3725

MAIL DATE

DELIVERY MODE

08/25/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/589,827	Applicant(s) GINSBERG ET AL.	
	Examiner EDWARD TOLAN	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5-27-2011</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 8-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Minnerop et al. (5,941,115). Minnerop discloses a machine used in a rolling mill train (1) including installed machine unit platforms comprising roll housings (2a,3a,4a) having roll sets (12) wherein the platforms (housings) are prefabricated and preassembled on site next to the production line (column 3, lines 32-45). The roll sets and foundations are inserted into the rolling train (1) as a modular unit along displacement tracks (16). In column 2, lines 1-5 Minnerop discloses that the preassembled installation is given a complete examination in proximity to the roll stand and the roll housings include roll fittings that are permanently attached.

Claims 8-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson (4,471,642). Wilson discloses a machine used in a rolling mill train having installed machine unit platforms (13) having roll stands (12) wherein the foundations are prefabricated and preassembled on site next to the production line (column 2, lines 49-63 and column 4, lines 8-11). The roll sets and foundations are inserted into a mill line as a complete modular unit along displacement tracks (33). Wilson discloses slideways (58) and pairs of double presses (50) carrying elevating members (53) for lifting and

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inserting vertical stands. Wilson discloses (col. 4, lines 4-7) that the couplings for drive spindles are included with the stands (12) for connection to shafts (61,62). Wilson discloses adjustable feet (14) for supporting the roll stand.

Response to Arguments

Applicant's arguments with respect to claims 8-14 have been considered but are moot in view of the new ground(s) of rejection. Applicant has removed the limitations concerning descaling equipment or shears, so the Examiner has reevaluated the scope of the claims to include any equipment that is necessary for the operation of a rolling mill train. Therefore, Cole as being directed to descaling units, has been withdrawn.

Applicant has set forth "a horizontal polygonal platform foundation surface" that includes associated elements comprising valves, drives and controls. A rectangular or polygonal rolling mill housing meets this limitation since at least the base or bed plate is horizontally aligned. Applicant has used the terminology, "at least some" in line 3 of claim 8 and the cited references to Minnerop and Wilson are intended to include at least some of the necessary components to be processed offline, and then the associated equipment or foundation is moved online to speed production.

The cited references include tracks on which roll stands and their bases are moved in and out of the line. The platforms of Minnerop and Wilson are arrangements in an immediate proximity with positions adjacent to the rolling machine and include the roll set (12) and guide fittings (20) disclosed by Minnerop and the stand (12) and bed plate (13) disclosed by Wilson.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWARD TOLAN whose telephone number is (571)272-4525. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dana Ross can be reached on 571-272-4480. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edward Tolan/
Primary Examiner, Art Unit 3725